



LEGISLATIVE UPDATE

from
Senator Rosa Franklin



Washington State Senate

Senator Rosa Franklin
29th Legislative District

Olympia Office:
410 Legislative Building
PO Box 40482
Olympia, WA 98504-0482

Phone: (360) 786-7656
FAX: (360) 786-7520
Toll Free: 1-800-562-6000

Spring, 1998

Dear Neighbors,

The 1998 session of the Legislature will be remembered for some time to come, mostly for the many opportunities it missed to make important investments in the future of our state.

At a time when the state has close to a billion-dollar revenue surplus, legislative leaders had the chance to make real improvements in all the areas that directly affect our quality of life and still put aside a healthy budget reserve.

But they decided to be overly cautious, and not make the important investments I believe we should have. I support the state having a healthy bank account, but I do not believe in being a miser at the expense of good, sound public policy.

Time will tell what the effects of those decisions will be. In the meantime, here is a review of some of the important decisions that were made this year. Please take a few minutes to review it and feel free to send your comments, questions, or suggestions. Should you wish to have more information, I will try my best to get it to you.

One of the most rewarding parts of serving as your state senator is the time my legislative assistant Angela and I spend trying to resolve problems that directly affect the lives of the citizens I represent. And the many letters of thanks and support we get, as well as your prayers, help us over some of the rough spots during legislative sessions!

Warm regards,

Rosa Franklin

P.S. I will be hosting two Town Hall Meetings at various locations in our district. Please look inside for details.

Committees: Human Services and Corrections • Health and Long-Term Care • Commerce and Labor

Unfunded Mandates

People deserve laws that can be enforced

When the Legislature hands down laws to local governments without the funding needed to enforce them, I believe it creates a disrespect for the law in general. After all, why should citizens respect laws that the Legislature itself approves in name only?

In recent years, we have seen more and more of these empty “laws” being proposed in Olympia. I have pledged not to support any bills that sound good but do not carry the funding needed for enforcement.

So if you happen to notice that I voted no on a particular bill that sounds good, please check with me about it. Chances are I opposed it because of a lack of funding, or because it did not make sense, or was not needed to begin with.

Protecting Vulnerable Adults

Caring for the elderly and the disabled

In our state, there are nearly 300 nursing homes, which employ more than 25,000 people and care for approximately 23,000 elderly and developmentally disabled people. The state pays for about two-thirds of all nursing home care through Medicaid at a cost, in the current state budget, of \$984 million.

Historically, nursing homes have been paid for health care services provided to Medicaid patients based on the facilities’ own spending levels — regardless of the severity of patients’ conditions. Obviously, there needed to be more accountability in the system so that we could be sure we are paying the right amounts for the right care.

This year, we approved a new, more efficient way to pay for these services, based on the needs of the people receiving care. My hope is that this greater accountability for funds will help control costs, and allow the state to continue providing good quality long-term care for all who need services.

The new payment system will be monitored closely.

Boarding homes to get better oversight

Years of alleged sexual abuse of an elderly man at a state-subsidized boarding home came to light during the legislative session. Lawmakers were outraged. But no sooner were those crimes discovered than we were told of a mentally ill woman at another boarding home who had become pregnant and delivered her baby — without the home supervisor ever noticing!

In response, Governor Locke called on the Legislature to transfer oversight of the homes from the Department of Health to the Department of Social & Health Services, and we acted on his request immediately. We must be diligent and protect those for whom we are responsible, because they no longer are able to care for themselves.

Developmentally disabled citizens to get more help

Following a great deal of input from family members and other caregivers prior to the 1998 session, the Legislature knew that there was more that we could do for developmentally disabled citizens.

We directed an additional \$35 million toward such things as developing alternative residential placement programs, especially for those disabled people who might pose a threat to other disabled people in need of care.

When it comes to protecting the truly vulnerable among us, the developmentally disabled deserve our special care and attention.

Strengthening the guardian ad litem system

A guardian ad litem (GAL) is a person appointed by the court to represent someone’s best interests in a court proceeding dealing with guardianship, child dependency, or family law cases. It is absolutely critical that a GAL can be trusted. Two years ago, a bill I sponsored (SB 6257) made some sweeping changes in the guardian ad litem law.

This year I introduced a bill (SB 6217) that would have required that the people who serve as GALs work through a rotating registry system. The rotational registry system is important to prevent abuse and to return integrity to the system. Flexibility was given to the judges in exceptional cases to deviate from the rotational list. The bill also would require professional training and oversight of GALs.

It failed to pass the House. The major sticking point has been that of the judges not wanting to use the rotational list. The lack of rotation, however, has been one of the biggest problems with the GAL system. I will continue working on the bill over the coming months to build support for its passage in the 1999 legislative session.

Basic Health Plan

Subsidized health insurance deserves more support

The Basic Health Plan is one of the great success stories in our state. It is a subsidized insurance system that serves about 138,000 Washingtonians, helping them get good, basic medical care that they otherwise might not be able to afford. It is not free insurance. Families pay based on their income.

Last year, the Legislature expanded it to accommodate another 7,000 Washingtonians; however, the insurance companies that contract with the state raised their premiums, and that undercut our intentions. This year, the Legislature funded those additional 7,000 enrollments, but more needed to be done.

The budget writers could have directed more money into the BHP to cover the increased cost of premiums instead of just passing them on to the enrollees. Making low-income working people pay drastically higher premiums defeats the whole purpose of the Basic Health Plan. We need to do better in regard to the BHP in the next legislative session.

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Education

The state's top priority got sidetracked

Our state constitution makes public education the state's number-one priority. But that responsibility was mostly ignored by budget writers this year. Democrats offered several, modest investments to improve education; each was turned down. One would reduce classroom overcrowding so that students could get more individual attention from teachers. Another plan would allow schools to offer before- and after-school tutoring and "Saturday academies" and summer classes to give our students every opportunity to get the help they need.

I offered an amendment to the budget to help pay for more school nurses, but even that was rejected.

This is troubling to me because public education has always enjoyed bipartisan support. It should not be a partisan issue, because neither political party has a lock on good ideas. I will continue to work to improve schools and the quality of education we provide for all of our children, whether they attend public, private, or home school.

Transportation Funding

A political strategy, not a sound plan for our future

Transportation traditionally has been free of political posturing; all of us recognize how important the free flow of traffic and goods is to our state's long-term economic health. But this year, with severe transportation problems facing our state, long-range planning and bipartisan cooperation came to a sudden halt.

Instead of crafting a bipartisan plan that looks to our state's future, a small group of political leaders shut out even their own Transportation Committee chairman and crafted a borrow-and-spend scheme that minority Democrats could not support.

It relies on credit-card borrowing to run up 25 years of debt — \$5 billion worth, the largest debt ever incurred in the history of our state — to pay for just five years of road work. The plan will be on the ballot this November, with the lure being a \$30 reduction in the cost of your license tabs.

DUI Laws

Making our highways safer

Last year, about 350 people in our state were hurt or killed in alcohol-related accidents. When that many people are hurt by a disease, we call it an epidemic.

This year, the Legislature approved some long-overdue changes to our DUI laws:

- Blood-alcohol (BAC) limit reduced from .10 down to .08;
- 90-day license suspension for first offense;
- Electronic home monitoring for repeat offenders;
- Seven-year license suspension on third offense;
- Mandatory ignition-locking devices for those convicted with BAC of .15 or above;
- Conviction remains on police record for 7 years; and
- Deferred prosecution allowed only once.

Bills I Sponsored

Road Rage — I introduced legislation to help deter the aggressive driving that sparks road rage incidents. A driver could be convicted if he or she committed two or more obviously aggressive acts within five consecutive miles. The bill spelled out 26 traffic infractions that constitute acts of aggressive driving. They include following too closely, weaving through traffic, not using turn signals, and dangerous speeding.

The first violation would be punished by a minimum of one day in jail and a \$350 fine. A second violation within a five-year period would bring a minimum two days in jail and a \$500 fine.

The bill died in the Senate. I will continue to work on this.

Uninsured Motorists — Despite the state law that every driver carry liability insurance, too many people still drive without it, and leave others to pay the bills in case they cause an accident. A bill I sponsored this year offered a simple way to help solve that problem: require proof of insurance when registering a vehicle, not just when you get stopped by police. This bill got stalled this year, passing out of one committee but then dying in another. I will continue working on this issue, as well.

Genetic Discrimination — For the second year, I sponsored a bill that would prevent insurance companies from denying coverage based on genetic information. Also, the insured person would have control of his or her genetic information. The bill died in the Rules Committee.

Post-mastectomy Hospitalization — Last year I introduced a bill to keep insurance companies out of the process of deciding when a mastectomy patient should leave the hospital, but it failed. I introduced it again this year, and it failed. So I will introduce the bill again next session. I believe strongly that health decisions should be made by doctors and patients — not by insurance companies.

Blood-alcohol concentration (BAC)

Average man
(170 lbs.)

new limit .08%
4 drinks old limit .10%
5 drinks



Thank You, Pages!

Local students help the Legislature run smoothly

Behind the scenes, making things run smoothly in Olympia, are a legion of legislative pages. They are students who serve for one week at the Legislature, running messages to and from lawmakers. The students from our area who served did a tremendous job this year, and I want to say thank you to each of them. We can all be very proud of the fine way these four young people conducted themselves and the valuable service they provided to our state:

- ★ Stefan Wilson, Pioneer Middle School
- ★ Hallie Blakey, Foss High School
- ★ Tarik Saleh, Concordia Lutheran School
- ★ Crystal Gossman, Franklin Pierce High School



Tarik Saleh, a student at Concordia Lutheran School, was one of the young people in our district who served as a Senate page this year.

Town Hall Meetings

I am always so pleased that the Town Hall Meetings in our district are some of the most well attended of any in Washington.

This year, I am hosting two Town Hall Meetings in order to give you a personal report on the legislative session and to answer your questions. I hope you are able to attend one of these meetings:

Thursday, April 30th, 7:00 p.m.
Bates Technical College
South Campus Cafeteria
2201 So. 78th Street

Thursday, May 7th, 11:00 a.m.
The Senior Lighthouse
5016 "A" Street

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PO Box 40482
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